



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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:  
UNITED STATES OF AMERICA :  
:  
- v. - :  
:  
JOSE RAFAEL NUNEZ DUARTE, :  
a/k/a "Jose Javier Rivera Bernard," :  
:  
Defendant. :  
:  
----- X

**ORDER**

(S1) 20 Cr. 329 (CM)

WHEREAS, defendant JOSE RAFAEL NUNEZ DUARTE, a/k/a "Jose Javier Rivera Bernard," the defendant, intends to change his not guilty plea to guilty pursuant to a plea agreement dated February 17, 2021;

WHEREAS, the Honorable Colleen McMahon has referred the change of the defendant's plea hearing to magistrate court;

WHEREAS, the CARES Act and findings made by the Judicial Conference of the United States and Chief Judge Colleen McMahon of the Southern District of New York allow for guilty pleas to be taken by phone or video, subject to certain findings made by the District Judge;

WHEREAS, all proceedings in magistrate court are taking place remotely, either by telephone or by videoconference, because of the ongoing COVID-19 pandemic;

WHEREAS, the defendant has been detained on the pending charges since January 2020; and

WHEREAS, the defendant wishes to accept responsibility and enter a plea of guilty;

THE COURT HEREBY FINDS that because the defendant has consented to proceeding remotely, and for the reasons set forth in the parties' application dated March 18, 2021, the plea cannot be further delayed without serious harm to the interests of justice.

SO ORDERED.

Dated: New York, New York  
March 19, 2021



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THE HONORABLE COLLEEN MCMAHON  
CHIEF UNITED STATES DISTRICT JUDGE  
SOUTHERN DISTRICT OF NEW YORK